



UNITED STATES PATENT AND TRADEMARK OFFICE

AP

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/737,389

12/16/2003

En-Yi Liao

10033.000400

5362

31894

7590

11/09/2006

OKAMOTO & BENEDICTO, LLP

P.O. BOX 641330

SAN JOSE, CA 95164

EXAMINER

SERRAO, RANODHI N

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/737,389

Applicant(s)

LIAO, EN-YI

Examiner

Ranodhi Serrao

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see interview summary, filed 26 September 2006, with respect to the rejection(s) of claim(s) 10-15 and 22 under 35 U.S.C. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art reference(s).

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 10-14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Templin et al. (5,781,550) and Schneider (2004/0158741).
4. As per claim 10, Templin et al. teaches a method comprising: redirecting the file from a first peer node to an interception node, the file being originally intended to be transferred directly from the first peer node to a second peer node (see Templin et al., col. 5, lines 9-24); processing the file in the interception node (see Templin et al., col. 3, lines 21-31); and transferring the file from the interception node to the second peer node (see Templin et al., col. 8, lines 38-47). But fails to teach a method of transferring a file in a peer-to-peer computer network, the first peer node and the second peer node being computers in the peer-to-peer computer network. However, Schneider teaches a method of transferring a file in a peer-to-peer computer network, the first peer node and

Art Unit: 2141

the second peer node being computers in the peer-to-peer computer network (see Schneider, ¶ 37). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Templin et al. to a method of transferring a file in a peer-to-peer computer network, the first peer node and the second peer node being computers in the peer-to-peer computer network in order to control communication of content between user terminals, and more particularly control the proliferation of virus infected content by outsourcing virus scanning services (see Schneider, ¶ 1).

5. As per claim 11, Templin et al. and Schneider teach a method wherein the peer-to-peer computer network includes the Internet (see Templin et al., col. 3, line 65-col. 4, line 9).

6. As per claim 12, the above-mentioned motivation of claim 10 applies fully in order to combine Templin et al. and Schneider. Templin et al. teaches an interception node (see Templin et al., col. 5, lines 9-24) and Schneider teach a method wherein processing the file in the node comprises scanning the file for viruses (see Schneider, ¶ 37).

7. As per claim 13, Templin et al. and Schneider teach a method wherein processing the file in the interception node comprises filtering a content of the file (see Templin et al., col. 2, lines 22-29).

8. As per claim 14, Templin et al. and Schneider teach a method wherein redirecting the file comprises: informing the second peer node that an address of the first peer node is that of the interception node (see Templin et al., col. 3, lines 21-31).

Art Unit: 2141

9. As per claim 22, Templin et al. teaches, a method comprising: transferring the file from a first peer node to an interception node, the file being originally intended to be transferred directly from the first peer node to a second peer node (see Templin et al., col. 5, lines 9-24), and transferring the file from the interception node to the second peer node (see Templin et al., col. 8, lines 38-47). But fails to teach a method of transferring a file in a peer-to-peer computer network, the first peer node and the second peer node being computers in the peer-to-peer computer network; scanning the file for viruses in the interception node. However Schneider teaches a method of transferring a file in a peer-to-peer computer network, the first peer node and the second peer node being computers in the peer-to-peer computer network; scanning the file for viruses in the interception node (see Schneider, ¶ 37). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Templin et al. to a method of transferring a file in a peer-to-peer computer network, the first peer node and the second peer node being computers in the peer-to-peer computer network; scanning the file for viruses in the interception node in order to control communication of content between user terminals, and more particularly control the proliferation of virus infected content by outsourcing virus scanning services (see Schneider, ¶ 1).

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Templin et al. and Schneider as applied to claim 10 above, and further in view of Morris et al. (6,629,100). Templin et al. and Schneider teach the mentioned limitations of claim 10 above and furthermore Templin et al. teaches transferring the file from the interception

Art Unit: 2141

node to the second peer node (see Templin et al., col. 8, lines 38-47) but fail to teach querying a P2P server for location information of peer nodes involved in a transfer of the file; based on a response from the P2P server, identifying the second peer node as a node involved in the transfer of the file from the first peer node. However, Morris et al. teaches querying a P2P server for location information of peer nodes involved in a transfer of the file (see Morris et al., col. 8, lines 1-9); based on a response from the P2P server, identifying the second peer node as a node involved in the transfer of the file from the first peer node (see Morris et al., col. 8, lines 10-21). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Templin et al. and Schneider to querying a P2P server for location information of peer nodes involved in a transfer of the file; based on a response from the P2P server, identifying the second peer node as a node involved in the transfer of the file from the first peer node in order to allow users and groups to share images and restrict access to the images and metadata (see Morris et al., col. 1, line 64-col. 2, line 4).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571) 272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2141

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER